

Legislative Reference Service

WEEK ENDING 3-1-02

SENATE BILLS ONLY

NO. 3

CODE ENFORCEMENT

S-2805 LEAD PAINT (Goodwin & Others) This act would provide for an income tax credit for lead paint abatement and lead paint control measures in residential dwellings. Finance

EDUCATION AND SCHOOLS

S-2582 PSYCHOTROPIC DRUGS (Graziano & Polisena) This act would prohibit teachers from suggesting or recommending psychotropic drugs, and would not make a parents refusal to give such drugs to their children grounds for removal from their house. H.E.W.

S-2624 PROFESSIONAL DEVELOPMENT (Celona & Tassoni) This act would require that 25% of the funds appropriated for professional development would be set aside for district-wide professional development. H.E.W.

S-2641 COMPULSORY ATTENDANCE (Parella & Others) This act would increase from 16 years old to 17 years old the age when a child shall regularly attend public day school. H.E.W.

S-2738 SCHOOL BUDGETS (Graziano & Polisena) This act would establish an arbitration board to permit school committees to resolve the local appropriation process for school budgets. Finance

ELECTIONS

S-2604 RESTORATION OF VOTING RIGHTS (Walton & Others) This act would provide for the restoration of voting rights, under certain circumstances, to persons convicted of a felony. Judiciary

S-2776 REGISTRATION OF VOTERS (Kells & Others) This act would require proof of United States citizenship in order for an individual to register to vote and to receive a ballot. Judiciary

ENVIRONMENT

S-2665 ALTERATION OF WETLANDS (Badeau) This act would permit the Director of the Department of Environmental Management to grant an approval of alterations of wetlands for any project on land owned by or leased to the state, a state agency, or a governmental agency and public instrumentality of the state or any subsidiary thereof, even in cases where the city/town council of the municipality within which the project lies disapproves. Environment

FINANCE AND TAXATION

S-2488 AUDIT REPORTS (Montalbano & McCaffrey) This act would require that city/town annual post audit reports be conducted in compliance with government auditing standards. The act would also require corrective actions be taken when an auditor's opinion is qualified. Corporations

S-2529 VIDEO LOTTERY TERMINALS (Badeau & Others) This act would permit players of video lottery terminals in the state to collect their winnings in coins and cash tokens in addition to credits. This act would also provide for a division and distribution of revenue in the amount of \$40,000,000, \$1,000,000 to each city/town for educational purposes, kindergarten through fourth (4th) grade, and \$1,000,000 to Rhode Island College for pre-school reading programs. Finance

S-2552 LEASEHOLD IMPROVEMENTS (McCaffrey & Others) This act would require tenants of quasi-public corporations, which are businesses for profit, to be liable for taxes on any leasehold improvements. This act would take effect upon passage, and would apply to taxes assessed commencing on December 31, 2001. Corporations

S-2606 INDEBTEDNESS OF TOWNS AND CITIES (Bates & Issa) This act would clarify and expand the criteria for the issuance of bonds for cities and towns. Finance

S-2607 EXCISE ON MOTOR VEHICLES (McCaffrey) This act would establish rules for the methodology for determining the presumptive value of motor vehicles subject to the excise tax of December 31, 2000. Finance

S-2613 VIDEO LOTTERY TERMINALS (Perry & Parella) This act would establish that 6% of the video lottery terminal income be allocated to the Neighborhood Community Trust Fund. Finance

S-2621 PARKING FACILITY TAX (Donelan & Others) This act would impose a fifty cent (\$.50) tax on each motor vehicle which parks in a public or private parking facility, and the payment of the funds collected to the city/town in which the facility is located. Finance

S-2714 TAX SALES (McDonald & Others) This act would require that a tax collector at a tax sale would sell, for the amount of taxes, the smallest undivided part of land which will bring the amount, but not less than 1%. Judiciary

S-2727 MUNICIPAL DEFICITS (Montalbano & Others) This act would provide a mechanism to more closely monitor the financial operations of the various cities/towns in order to prevent year-end deficits, and would execute a rapid response to the budget problems. Finance

S-2730 PAYMENT IN LIEU (Ruggerio & Others) This act would increase the annual appropriation for payment to cities/towns in which private nonprofit institution or state owned property is located from 27% to 30%. Finance

S-2739 STATE PROPERTY TAXED TO LESSEE OR TENANT (Coderre) This act would exclude from taxation state property leased for purposes which are necessary to the operation of a ferry terminal. Finance

S-2744 PAYMENT IN LIEU (Ruggerio & Others) This act would mandate that any amount appropriated by the General Assembly for a municipally-owned civic center be utilized only for that center's operations and capital improvement. Finance

S-2746 PENSION FUND REFINANCING (Ruggerio & Others) This act would allow municipalities to issue pension fund refinancing bonds to fund unfunded pension liability. Finance

S-2747 PAYMENT IN LIEU (Ruggerio & Others) This act would add any municipally owned civic center to the list of properties eligible for state aid because of a loss of tax revenue. Finance

S-2787 TAX SALES (Iglioizzi & Others) This act would give municipalities lien creditor status as defined in Section 6A-9-301(3). Judiciary

S-2810 VIDEO LOTTERY TERMINALS (Goodwin & Ruggerio) This act would increase the funds allocated to the Distressed Communities Relief Program from video lottery games income. Finance

S-2812 PAYMENT IN LIEU (Izzo & Others) This act would gradually increase the percent of the state appropriation in lieu of taxes, starting with 35% on July 1, 2002, and finally reaching 50% as of July 1, 2005. Finance

LABOR RELATIONS

S-2509 SCHOOL TEACHER DISPUTES (Izzo & Others) This act would require the bargaining agents for teachers and non-teacher school district employees and a school committee to submit their last best offer as to salary to a mediator. Labor

S-2653 ARBITRATION OF LABOR CONTROVERSIES (Ruggerio & Others) This act would decrease the time period within which notice of a motion to vacate, modify or correct an award must be served upon an adverse party or his attorney after the award is filed or delivered. Labor

S-2654 ARBITRATION OF LABOR CONTROVERSIES (Ruggerio & Others) This act adds the provision that, when a motion to stay an arbitrator's award is denied, the moving party shall pay costs and reasonable attorneys' fees to the prevailing party. Labor

S-2655 MUNICIPAL CHARTERS (Ruggerio & Others) This act would provide that collective bargaining agreements supersede city/town charters. Labor

S-2660 CERTIFIED SCHOOLTEACHERS' ARBITRATION (Damiani & Others) This act would establish the Teachers' and Public School Employees' Arbitration Act. Labor

S-2748 MUNICIPAL EMPLOYEES' ARBITRATION (Ruggerio & Others) This act would provide that any mediation involving unresolved issues submitted to compulsory mediation between the negotiating or bargaining agent and a municipal employer be conducted at no expense to the parties to the mediation. Labor

LIQUOR CONTROL AND LICENSES

S-2632 REGULATION OF TOBACCO SALES (Enos & Others) This act would allow a municipal license fee to be imposed on the retail sale of tobacco products. Corporations

S-2634 CLASS D LICENSE (Felag & Cicilline) This act would provide grandfather entitlement to a Class D liquor license to corporations organized prior to 1900 for purposes similar to those in the Nonprofit Corporations Act, and which have possessed such licenses for 10 years prior to July 1, 1993. Corporations

S-2764 CLASS N NIGHTCLUB LICENSE (Roney & Goodwin) This act would provide for the creation of a Class N nightclub license to be held by certain retail sellers of alcoholic beverages, and make the possession of a false motor vehicle license a criminal offense. Special Legislation

PLANNING AND ZONING

S-2533 COMPREHENSIVE PLANNING AND LAND USE (Perry & Others) This act would define the term “state agency” for purposes of the Comprehensive Planning and Land Use Act. Corporations

S-2642 EARTH REMOVAL OPERATIONS (Ruggerio & Others) This act would allow earth removal and extractive industries to operate in all zoning districts by special use permit. Corporations

S-2698 EARTH REMOVAL OPERATIONS (Celona – By Request) This act would permit earth removal and extractive industries to operate in all zoning districts by special use permit. Corporations

S-2768 ZONING ORDINANCES (Paiva-Weed & Others) This act would provide that a zoning board of review shall require evidence showing that the dimensional relief sought is reasonably necessary for a full enjoyment of the permitted use. Corporations

PUBLIC SAFETY – POLICE AND FIRE

S-2495 WEAPONS (Perry & Others) This act would create a “Firearm Injury Statistics Task Force” to help collect, analyze and evaluate firearm injuries. Judiciary

S-2498 SEXUAL ASSAULT (Perry & Others) This act would require the police department to fill out the DV/SA-1 report form on cases where there is probable cause to refer to the Attorney General's Office. Judiciary

S-2536 FIREFIGHTERS - PRESUMPTION OF DISABILITY (Cicilline & Others) This act would add coronary or pulmonary illnesses to the list of illnesses presumed to be disabling to firefighters. Corporations

S-2537 BENEFITS FOR FIREFIGHTERS (Cicilline & Polisena) This act would provide benefits to firefighters for various forms of cancer and respiratory diseases. Corporations

S-2538 BENEFITS FOR FIREFIGHTERS (Cicilline & Others) This act would establish a pulmonary and coronary disease disability for firefighters who, because of pulmonary or coronary disease, are unable to perform their duties. Corporations

S-2540 LAW ENFORCEMENT ACCREDITATION (Cicilline & Damiani) This act would create a commission within the executive department to act as the accreditation authority for Rhode Island law enforcement agencies. Judiciary

S-2541 LAW ENFORCEMENT STANDARDS (Cicilline & Damiani) This act would enact a comprehensive revision of law enforcement standards and training to promote and foster professionalism. Judiciary

S-2548 NONEMERGENCY POLICE POWER (Damiani & Others) This act would allow for nonemergency police powers. Corporations

S-2609 MUNICIPAL POLICE – INCENTIVE PAY (Blais) This act would provide that incentive pay for municipal police would only be provided for college courses in law enforcement or criminal justice. H.E.W.

S-2630 DISPOSITION OF JUVENILE RECORDS (Walsh & Damiani) This act would create an exception to the disposition of juvenile records for serious violent felonies, and would allow the Attorney General to share information with appropriate departments and agencies. Judiciary

S-2659 FIRE, POLICE AND RESCUE SERVICES (Ruggerio & Others) This act would require that private agreements between municipalities and private employers to provide personnel to perform fire, police or rescue services contain a stipulation requiring prescribed rates of wages as determined by the Director of the Department of Labor. Labor

- S-2690 CONSOLIDATION OF POLICE AND FIRE DEPARTMENTS** (Ruggerio & Others) This act would prohibit cities and towns from consolidating their respective police and fire departments. Corporations
- S-2701 PROTECTIVE VESTS** (Damiani & Others) This act would require that every city/town and the state provide their police officers with protective bulletproof vests. Corporations
- S-2711 EMERGENCY VEHICLES** (Ruggerio & Others) This act would include returning from the emergency situation as part of the operation of emergency vehicles which exempts the operator from insurance rate hikes in the event of an accident. Judiciary
- S-2716 CONTROLLED SUBSTANCES** (Felag & Others) This act would punish persons distributing controlled substances on grounds of public housing projects. Judiciary
- S-2719 WIRE AND ORAL COMMUNICATIONS** (Polisena & Others) This act would amend the interception of wire and oral communications law to allow for the interception of communication necessary to locate escapees from detention and correctional facilities. Judiciary
- S-2720 ADMINISTRATION OF CHEMICAL TEST** (Polisena & Others) This act would allow a peace officer to administer a chemical test with a search warrant if the peace officer believes that an individual has operated a motor vehicle under the influence, and that individual has refused to take a chemical test. Judiciary
- S-2770 CRIMINAL RECORDS CHECK** (Blais & Others) This act would require that the Bureau of Criminal Identification pay for all costs of criminal background checks required for day care workers. H.E.W.
- S-2774 THERMAL IMAGING DEVICES** (Blais & Others) This act would establish a fire safety equipment acquisition fund for the acquisition of thermal imaging devices. Corporations
- S-2789 SEAT BELTS** (DaPonte & Damiani) This act would prohibit police officers from searching drivers, passengers or the motor vehicle of those stopped for seat belt violations. Judiciary
- S-2841 FIRE ACADEMY** (Tassoni & Others) This act would create and establish a state fire academy for the voluntary use of all municipal fire departments. H.E.W.

RETIREMENT

S-2564 TEACHERS' RETIREMENT (Ruggerio & Others) This act would slightly increase the amount of the service retirement allowance, and slightly decreases the minimum number of years necessary for the maximum pension for teachers and all other participants in the state retirement system. Finance

S-2724 ADMINISTRATIVE PROCEDURES (Roney & Irons) This act would remove the exemption of the Employees' Retirement System of Rhode Island from the Administrative Procedures Act. Judiciary

S-2731 OPTIONAL RETIREMENT FOR POLICE AND FIREFIGHTERS (Ruggerio & Others) This act would amend the formula for determining a police officer's or firefighter's final compensation for retirement purposes. Finance

S-2745 MILITARY PENSIONS (Roney & Irons) This act would allow pensions from a military retirement system to count as credit in the state system. Finance

S-2766 TEACHERS' RETIREMENT (Roney & Others) This act would eliminate the term "substitute" from the definition of the word "teacher" for purposes of this chapter. H.E.W.

TOWN AND CITY CLERKS

S-2499 ACQUISITION OF LAND (Polisena & Others) This act would delete the provisions of the General Laws requiring the Attorney General to certify that a parcel of real estate is free of encumbrances in state acquisitions of real estate. This act would also require the acquiring authority to procure a title insurance policy on the real estate. Judiciary

S-2544 ELECTRONIC RECORDING (Perry & Others) This resolution would create a 7-member special senate commission whose purpose it would be to study electronic recording of real estate instruments. Judiciary

S-2545 ACQUISITION OF LAND (Polisena & Damiani) This act would delete provisions of the General Laws requiring the Attorney General to certify the form of deed, and to certify the title is free of encumbrances in state acquisitions of real estate. This act would also require the acquiring authority to procure a title insurance policy on the real estate. Judiciary

S-2549 ACCESS TO PUBLIC RECORDS (Celona & Others) This act would amend the definition of a public record, and would require a balancing test when publication of a record is contemplated. Judiciary

S-2600 PROBATE – DISALLOWANCE OF CLAIM (Celona) This act would permit an estate representative to deny a claim filed against an estate in whole or in part. Judiciary

S-2626 NOTICE OF DEVISE OR BEQUEST (Paiva-Weed & Iglioizzi) This act would amend certain notice requirements relative to probate practice, and who must be notified in the event of a devise to a corporation or voluntary association. Judiciary

S-2638 FORMER PROBATE JUDGES (Parella) This act would allow former probate judges to perform marriage ceremonies. Judiciary

S-2726 RECORDING OF INSTRUMENTS (Ruggerio & Others) This act would increase the fees for recording land evidence records. Finance

MISCELLANEOUS

S-2515 CODE OF ETHICS (Blais) This act would reduce the number of persons who are required to file financial statements with the Ethics Commission. Judiciary

S-2522 ECONOMIC DEVELOPMENT ZONES (Alves & Others) This act would establish exemption from or stabilization of sales and use taxes for municipal economic development zones, and designates an area in the town of West Warwick as a development zone. Finance

S-2579 MILL BUILDING AND ECONOMIC REVITALIZATION (Algiere) This act would allow that a portion or portions of certified buildings be designated as separate buildings, and would provide technical changes for regulatory and consistency purposes. Finance

S-2615 PIT BULLS (Paiva-Weed & Others) This act would require the neutering or spaying of all pit bull-type dogs, and would provide further regulations for owners of such dogs. Special Legislation

S-2732 COMPETITIVE SEALED BIDDING (Ruggerio & Others) This act would establish various criteria determining the responsibility of competitive bidders for municipal contracts. Finance

S-2740 PUBLIC-PRIVATE REDEVELOPMENT INITIATIVE (Ruggerio & Others) This act would adopt the Public-Private Redevelopment Initiative Enabling Act to facilitate the development of state land made available as a result of Route 195 relocation project. Finance

S-2780 INSPECTION OF PERSONNEL FILES (Ruggerio & Others) This act would require that an employee be provided a copy of his/her personnel record,

without cost, within 5 business days of a written request to his/her employer for the record. Labor

S-2794 URBAN INFRASTRUCTURE COUNCIL (Roberts & Others) This act would create the Urban Infrastructure Council to examine the economic prosperity of urban centers. Finance

S-2796 URBAN INFRASTRUCTURE INVESTMENT TRUST FUND (Roberts & Others) This act would create an Urban Infrastructure Investment Trust Fund to help our urban areas and promote economic growth. Finance

S-2804 LEAD PAINT ACTIONS (Goodwin & Others) This act would provide a statute of limitations in which certain entities may bring a lawsuit for damages involving lead paint. Judiciary

S-2813 LEAD HAZARD MITIGATION (Izzo & Others) This act would create a comprehensive legislative mechanism to address lead hazard mitigation. H.E.W.

S-2816 COMPLAINTS OF HARASSMENT (Roberts & Others) This act would make it unlawful for an employer to refuse to disclose to the employee the disposition of an internal complaint alleging harassment. Judiciary